THE NEW YORK HERALD.

WHOLE NO. 7380.

SUNDAY MORNING, JANUARY 16, .1853.

PRICE TWO CENTS.

AMUSEMENTS. DOWERY THEATRE DOORS OPEN AT 6%; CUR-Monday evening, January 17, will be performed THE BOHEMIAN GIRL.

THE BOHEMIAN GIRL.

Thaddeus Mr. Dunn Arline. Miss Hiffert Buda Mrs. Yeomans Florestein Mr. Grifiths Gipsy Queen. Mrs. Grattan ROOKWOOD.

Bradley Mr. Dedy Sybil Miss Heron Dick Turpin Mr. Dern Earbara. Mrs. Grattan Titus. Mr. Hamilton Handassah. Miss Marshall Eleanor. Mrs. Dunn Rookwood Mr. Grifiths Juniper. Mr. Dawson Mrs. Mowbray Mrs. Broadley

BURTON'S THEATRE, CHAMBERS STREET,-DOORS

BURTON'S THEATRE, CHAMBERS STREET.—DOORS

open at 63½; to commence at 7 o'clock.
Benefit of Mr. H. Placide.

Monday evening, January 17, will be performed
PAUL PRY.

Col. Hardy. Mr. Placide Eliza Hardy. Miss Hill
Paul Pry. Mr. Burton Phebe Mrs. Skerrett
Frank Hardy. Mr. Holman Mrs. Subtle. Mrs. Hughes
Popular Ballad.

PARIS AND LONDON.

Volatil Mrs. Warton Volatil Mr. Dyott I Lady Volatil Miss Weston Jacques Mr. Placide Rose Mrs. Bernard Thomas Trot Mr. Burton Annette Miss Fisher Mr. Haskitt Mr. Johnston Sally Trot Mrs. Hughes

NATIONAL THEATRE, CHATHAM STREET.—DOORS open at 63%; curtain rises at 7 o'clock.

Monday evening January 17, will be performed

RICHELIEU.

BARNUM'S MUSEUM -THREE DAYS MORE OF TOM Thumb, who will give his classic statuary, &c., on Mondry afternoon, at 3 o'clock; after which will be performed the VILLAGE GOSSIP. At 7 in the evening from Thumb and the FORTY THIEVES. A Petriled Horse and his Rider, besides a world of additional novelties, to be seen. Admission to the whole Museum, &c., 25 cents; Parquet and First Balcony, 12½ cents extra.

CHRISTY'S OPERA HOUSE, NO. 472 BROADWAY above Grand street.—Open every night during the week, under the sole direction and personal supervision of E. P. Christy, whose concerts in this city, for the past six years, have been received with favor by highly respectable and fashionable audiences. Tickets 25 cents. Boors open at 6½; to commence at 7½ o'clock.

METROPOLITAN HALL SUNDAY EVENING, JAN IVI ware 16.
The public is respectfully informed that the world-re movined vocalist, MADAME MARIETTA ALBONI,

will appear, for the FIRST TIME IN AMERICA,

and the prayer from MOSES IN EGYPT. Admission to all parts of the Hall\$1
PROGRAMME.

Grand Overture of "Stabat Mater," by Mercadante—Full Orchestra.

Introduction—Rossini's "Stabat Mater," by Mercadante—Full Orchestra.

Introduction—Rossini's "Stabat Mater," by Mad. Siedenberg, Signora Vietti, Sig. Sangiovanni, Sig. Barili, and a full Chorus.

Selo and Aria, "Cujus Animam," by Sig. Arnoldi.

Fuet, "Quis est Homo," by Madame Alboni and Signora Vietti.

Selo and Aria, "De Percentia" by Sig. Colutti.

Puet, "Quis est Homo," by Madame Alboni and Signora Vietti.

Solo and Aria, "Pro Peccatis," by Sig. Coletti. Recitative and Chorus, "Pacut Ardeat," Sig. Coletti and Chorus.

Quartour "Finnati Vulnerati," Mad. Siedenberg, Signora Vietti, Signor Sangiovanni, and Sig. Barill.

Cavatha and Solo, "Facut Portem," Signora Vietti.

Grand Aria and Chorus, "Inflamatus," Madame Alboni.

Quartour, (a solé voci.) "Quando Capus Morietur,"

Matame Alboni, Signora Vietti, Sig. Sangiovanni, and Sig. Coletti.

Grand Finale, "Amen," all the principal Artistes and Chorus.

The Concert will conclude with Rossin's

PRAYER OF MOISE,

Sung by

MADAME ALBONI.

All the principal Artistes and Chorus.

All the principal Artistes and Chorus.

clay, Jan. 15, after 9 o'clock, A. M., and at the Hall in the evening. Doors open at 6½ o'clock. Concert commences at 7% o'clock. An efficient corps of Ushers have been engaged, who will be discribited throughout the Hall in such numbers as will enable every per on to find immediate accommo-ciation.

BANVARD'S PHEGRIMAGE TO JERUSALEM AND THE Holy Land is now open, at the new and spaciors Georama, in Brondway, adjoining the Metropolitan Hotel, and continued every evening. Painted from authentic drawings made upon the spot by Mr. Banvard, during an extensive tour undertaken expressly for the works. Mr. R. will explain the paintings personally. Picture moves at 7)₂; and on Wednesday and Saturday afternoons, at 3 o'clock. Admission, 50 cents; children, half-price.

MACGREGOR MACDONALD TESTIMONIAL. - THE Macdonald Hardwards results and adjourned meeting to be held at the Astor House, on Monday evening, the 17th inst. at half-pat seven o'clock.

HENRY FROST, Sec. JAMES M. TURNER, Chairman.

M. P. RONEY GIVES A MUSICAL ENTERTAINMENT on Harp, &c., in Jersey City, assisted by the Misses Ferguson. (Forty-second street.) Mr. Andrews, and Mons. Rippolyte Gomien, on Plane, on Monday, the 17th Inst. Price of admission, 56 cents each. To be had at the Concert Room, Iroquois Hall, Jersey City, second block from the ferry.

AUCTION NOTICE.—A. T. JONES, AUCTIONEER.—

A. By Haggerty, Jones & Co. Thursday, 20th inst.—

First annual peremptory sale of the Lodi printed lawns. By order of Mesars. Studies Shaw & Co., 800 cases printed lawns, of the well-known printing of Robert Rennie, Lodi. New Jersey, comprising the entire stock. This sale will embrace the most complete assortment of lawns ever offered at public sale in this city, comprising white and colored ground madders, chintz and chintz madders, cho
colates of various styles, blacks and whites and solid blacks. The catalogue and samples will be ready for ex
amination early on Wednesday merning, the day previous to the sale. to the sale.

E. H. LUDLOW, AUCHONEER.—VALUABLE BROADBroadway and Duane street, for ten years from the lat of
Broadway and Duane street, for ten years from the lat of
May, 1864, with a five stery building thereon. The lot is
25 feet 6 inches on Breadway, and 100 feet on Duane
street being lot No. 304 Broadway. The premises will
be offered for lease at another, on Thesday, January 25th,
at J2 a clock, at the Merchants' Exchange. The terms
will be made known at the sale.

J. x.R. H. SHELWOOD, Solicitors for the owner.

HENDY H. LEEDS, AUCTIONEER, WILL SELL AT
I naction, Tuesday, Jan. 18, and Weinesday, Jan. 19, at
10½ o clock each day, at the sales room, No. 8 Wall street,
a large and clegant line of laney goods, being the importation of '3g. G. B. Pandollani, consisting of Venus de Mediei, Psyche of Tanerani, Venus of Caneva, Venus in the
Shell, of various sizes, the three Sabines, Diana, large
size Psyche and Cupid reclining, after Canova, do. Cupid
on pedestal, &c. Also, a large invoice of Bohemian glass
ware, Parian do. &c. Also, an invoice of silver plated
ware, consisting of tea sets, salvers, coffee sets, urns, &c.
Also, a large invoice of brenzes, papier mache goods,
consisting of folios, tables, &c.

HENRY IL LEEDS, AUCTIONEER, -ASSIGNEES' SALE HENRY R. LEEDS AUCTIONEER.—ASSIGNERS SALE diamonds beautifully set. Shenfield plate, silver ware, chims and bisque vases, bronzes, store fixtures, &c., &c. Remy H. Leeds & Cc. will sell by auction, on Monday, 17th, Treaday, 18th, and Wednesday, 19th January, at half-past 10 o'clock euch day, at No. 543 Broadway, next door above the Chinco Bolding, without reserve, by order of the assignees, consisting of valuable set diamonds, and other precious stores, be-estims, carriage, finger rings, &c., emmaeled fewelry of various kinds, patent lever, lepine, and elegantly enamelled ladies' watches, Shedield plate, of various kinds, rich china and desque vases, bisque and breaze figures and groups; an elegant automaton tree, neared by mechaner, with singing birds moving samong the branches, coally workboxes, fitted, dressing and travelling cases, papier mache trays, port monnaies, tertoise shell boxes, silver knives, forks, spoons, &c.; show en es, mas fixtures, counters, there furniture, &c., show en es, sms fixtures, counters, there furniture, &c., presenting to the trade, and others, the finest opportunity offered this season to supply thomseives. Every article is to be sool to the highest bidder.

AFAVETTE AVENUE LOTS.—JAMES COLE WILL at the Merchanta Beatman, Manuary 17, at 12 o'clock,

No. 42 Fulton and 3 Front street, Brookley.

NEWS BY TELEGRAPH.

BROADWAY THEATRE.—E. A. MARSHALL, SOLE Lessee.—Doors open at 6½; to commence at 7 o'clock. Monday evening, January 17, will be performed II. BARRIFRE DI SEVIGLIA. The Latest from Washington. DEPARTURE OF THE VICE PRESIDENT ELECT FOR HAVANA, ETC. WASHINGTON, Jan. 15, 1853.

The Hon. Wm. R. King left, in the United States NIBLO'S GARDEN.-MAD. H. SONTAG'S THIRD night in Opera, on Monday, Jan. 17. First night steamer Fulton, for Havana, this afternoon. He is accompanied by Dr. McCoun and several friends. night in Opera, on Monday, Jan. 17 ssini's Opera, in two acts, THE BARBER OF SEVILLE. The President has officially recognized Joseph Jasigi as Consul for the Ottoman Empire at Boston.

AMUSEMENTS.

f the performance,
On Saturday will be sold the \$2 seats, and on Monday
he \$1 and remaining \$2 seats.
Doors open at 63%. Opera commences at 73% o'clock.
Opera nights:—Monday, Wednesday, and Friday.

WALLACK'S THEATRE, RROADWAY, NEAR BROOME street.—Door Comp.

WOOD'S MINSTRELS, 444 BROADWAY, ABOVE HOWard atreet.—Qpen every evening.—H. Wood, Manager and Proprietor. The entertainments offered by
this celebrated company of musicians and Ethiopian delineators cannot be equalled by any other band in the United States. See programme. Doors open at 6½; concert
commences at 7½ o'clock. Admission 25 cents. The public are respectfully informed that the afternoon cencerta
are discontinued.

CIRCUS.—NEW YORK AMPHITHEATRE, NO. 37 BOW

Circ.—New YORK AMPHITHEATRE, NO. 37 BOW— ory.—R. Sands & Co., Proprietors. Monday evening, January 17. Last week of Bob Williams. Sam Lathrop also appears. Master Josse Sands in his surprising Trick Act. Miss Emma Nathans in her beautiful Scene d'Equi-tation. Ma-ter Frank Pastor in his startling somerset act. Together with a variety of performances in the circle. To conclude with the SHOEMAKER'S SHOP IN AN UPROAR.

CLEMAN NATIONAL THEATRE, 53 BOWERY.—E.

T Pleyel, Director.—This evening (Sunday), January
16, at 8 o'clock precisely.
GRAND SACRED CONCERT.

The musical pieces will be executed, and the dramatic declamation recited, by artists who are all of European education and renown, and have performed on European stages. Admission, 50 cents, 25 cents, and 12½ cents.

BROOKLYN MUSEUM.—MISS PEVERIL'S BENEFIT,

D Thursday, January 20. Parquet, 25 cents; Gallery, 12½ cents. LOVE'S SACRIFICE—Matthew Elmore, Mr. A. Macdouald; Saint Lo, Macdonald Macgregor; Margaret Elmore, Miss Peveril. Billy Blair will appear in a favorite dance. THERESE, THE ORPHAN OF GENEVA—Carwin, Mr. Gabriel Harrison; Therese, Miss Peveril. Doors open at 6½; commence at 7½ o'clock.

WALLACK'S THEATRE.—MISS LAURA KEENE HAS

ALLACK'S THEATRE.—MISS LAURA REENE HAS
the honor to announce to her friends and the public that her benefit will take place on Thursday, Jan. 20,
when the comedy of the HEIR AT LAW will be revived;
also, the drama of the DAY AFTER THE WEDDING, in
both of which Miss Keene will appear, sustained by the
whole talent of the company. The box book is now open.

THE QUEEN OF SONG IN THE BARBER OF SE-open, for sale at J. N. GIMBRIDE'S, No. 8 Metropolitan Hotel, 588 Broadway.

ENORMOUS SUCCESS.—HELLER'S SALOON OF WON ders, No. 539 Broadway, continues to attract crowd

RNORMOUS SUCCESS.—HELLER'S SALOON OF WONders, No. 539 Broadway, continues to attract crowds of the lovers of the marvellous nightly. Mr. Heller, the greatest of all Professors of Neeromancy, in addition to his other original and incomprehensible feats, introduces his astonishing experiments in SECOND SIGHT,

the performance of which is now the subject of universal inquiry and amazement. The whole scientific world is puzzled and it is curious to observe the nightly presence of those connected with the bar, the bench, the pulpit, with medicine, literature, and the fine arts, each atriving to detect its secret workings—unsuccessfully. The entire repertoire of Mr. Heller is vast and original, embracing the appliances of all known arts and sciences. The Inexhaustible Bottle, investion and property, Assources of the market of the stage and apparatus is unsurpassably magnificent, being fitted up with taste and judgment, of which the multitude of interloping Wizards are devoid. The superb paraphernalia is composed of all the varieties of known and rare woods, papier maché, gold, silver, ormolu, &c; the costly lace and satin draperies, carpets, and rich velvets, of the inext fabric, being the produce of the marble palace of A. T. Stowart & Co.; whilst the entire mechanical and scientific apparatus is the work of Mr. Heller's own hands and mind. Performances nightly, commencing at 7½ P. M.; and on Saturdays, at 3 and 7½ P. M.; Adon Saturdays, at 3 and 7½ P. M.; and on Saturdays, at 3 and 7½ P. M.; and on Saturdays, at 3 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturdays, at 5 and 7½ P. M.; and on Saturday

RISLEY'S THAMES, 406 BROADWAY.—PAINTED ON fifty thousand feet of canvass, by the first scenic artists in the world. A grand moving pictorial illustra

tion of the Hames, showing all the points of interest upon the river, from its source until it passes the city of London. Painted from original sketches, by Mesars. P. Phil lips, Haghe, Knell, &c. Descriptions by J. H. Hammers ley, M. D. Music arranged by J. H. Tully, Esq. Pianist Mr. A. Sedgwick. Every evening, at 734 o'clock. Or Wednesday and Saturday, at 2 P. M. Admission 50 cents

BURTON'S, CHAMBERS STREET.—MONDAY, MR. PLA-cide's Benefit, PAUL PRY and PARIS AND LONDON, for the last time—Mr. Placide as Colonel Hardy and the French Barber; Mr. Burton as Paul Pry and Thomas Teot. Tuesday, Mr. Pyott's Benefit, NEW WAY TO PAY OLD DEBTS and the EFON BOY.

Wednesday, THE TOOPLES, THE MILLER'S MAID, and THE MILLISERS.

THE MILLINERS.

Thursday, Mr. Hielge's Benefit, NICHOLAS NICKLEBY and JOHN JONES, with the l'anorama and a scenie display of the New York Crystal Palace.

Friday, DAVID COPPERFIELD.

Saturday, Mr. Johnston's Benefit.

WILL SHORTLY OPEN, OWEN'S GRAND ALPINE

The strainment of the special of the strainment and ascent of Mont Bane, illustrated with a series of magnificent and gigantic paintings from drawings taken on the spot, at an enormous expense; together with a highly immorous and interesting description of men and manners on the continent and in the Alpine regions, by John E. Owens, Esq., the well known and popular comedian. Full particulars will shortly be announced.

A N ACTRESS WANTED-A LADY CAPABLE OF PER

A forming small speaking parts, and who would not object to travel with a dramatic company. Apply at the office of the American Museum.

Haarkian McSeum, 175 Chatham Spreef.—Geo Lea, Proprietor.—The above establishment is oper every afternoon, at 3 o'clock, and in the evening at half past 7, for the purpose of "Classic and Original Representations of Living Statuary," by M'He. Casinet's Troupe of Model Artists, together with a variety of beautiful per formances. For further particulars, see bills of each day Admission:—Seats in private boxes, 50 cents; stage seats with cushioned arm chairs, 3734 cents; boxes, 25 cents gallery, 12½ cents.

COPARTNERSHIP NOTICES.

LEWIS AUDENRIED HAVING RETIRED FROM THE firm of Newell, Sturtevant & Co., the business will be settled by either of the undersigned. Dated New York, Jan. 1, 1850.

Newell Sturtevant having associated with him Noab Sturtevant, Joseph Maxfleid, jr., Charles Wannemacher, and Thomas H. Riley, the business will be continued in New York, Boston, and Philadelphia, under the firm of New York, Boston, and Philadelphia, under the firm of New Hotk, Boston, and Philadelphia, under the firm of Newell Sturtevant & Co.

PARTNER WANTED, WITH \$500 CASH, TO GET

and the waster, with \$200 CASH, 10 GASH
up an exhibition for the Southern and Western
states. Any one having a strong and neat wagon with
two horses and the above sum, would be preferred. The
chibition will realize at least \$1,200 to each partner, and
is withal highly respectable and pleasant. Please address
M. M. C., Herald office, stating where an interview can
be had.

WANTED-TO HIRE OR PURCHASE, A SMALL house or cottage, in some respectable part of the city. Address, with terms, J. M. S., Broadway Post Office.

WANTED—A VACUUM PAN, FROM SIX TO TWELVE feet diameter, copper or iron. Address COLIN LIGHTBODY, 152 Front street.

WANTED TO RENT—A SLIP IN DR. ALEXANDER'S Church in Fifth avenue. Address R. MOODY, 7 Brond street.

CRAND AFTERNOON PERFORMANCE,

On Saturday, at 3 O'Clock. Admission, 50 cents; children, 25 cents.

where the street of the street

THE NEGOTIATIONS FOR THE REPUBLIC NEWSPAPER. SPECIAL CORRESPONDENCE OF THE NEW YORK HERALD.

Washington, Jan. 15-10 P. M. To put an end to all the mystery with which the quidnuncs are enveloping the rumored purchase of the Republic newspaper, I beg to state that General Duff Green is the party who desires to make the purchase, and that there is very little probability, from present appearances, that a sale will be effected. You can best judge whose organ the General would be.

> THIRTY-SECOND CONGRESS. SECOND SESSION.

WASHINGTON, Jan. 15, 1853.

MR. UPHAM'S DEATH-EULOGETIC SPENCHES, ETC. Mr. Foot, (whig) of Vt., said:—Mr. President—I rise to perform a melancholy duty this morning, in formally an-

councing to the Senate the sad intelligence of the decease of one of the oldest members of this body. My col-league, the Hon. William Upham, expired at his lodgings in this city about the hour of two o'clock on yesterday evening, after a distressing illness of some ten days, at the age of sixty years. This is the first instance that a Senator from Vermont has deceased during his official term. Mr. Upham was a native of the town of Leicester, in the Commonwealth of Massachusetts, whence he removed, at an early age, to the State of Vermont. He settled and cemmenced the practice of the profession of the law, at Montpolier, the capital of the State, which has been the place of his residence and the home of his family to the present time. An extensive and successful business at the bar of his own and the adjoining counties soon rewarded his professional labors. By his ability, his energy and his persevering devotion to the profession of his choice and his pride, he attained an enviable distinction upon a forum which counted upon the list of its champions the names of a Prentiss, a Chase, a Mattecks, and others of high eminence as advocates and jurists. In addition to careful and laborious research, he was accustomed, in a remarkable degree, to bring the utmost energies of his mind, and the enflusiasm of his spirit, to the cause of his client. His legal counsels and aid were especially sought by those upon whom the hand of adversity and want had fallen and will be upon the his advice and assistance in a just cause was ever turned aside from considerations of his pecuniary indigence; he adopted his cause and made it his own; his reward was in the consciousness of duty done, of rights vindicated, of wrongs redressed. Mr. Upham repeatedly represented the town of Montpelier in the popular branch of the State legislature. There he always took a prominent and leading part in the discussions upon the various questions of public and private interest which were brought to the consideration of that body. In 1842, Mr. Upham was elected by the legislature of his adopted State to a seat in the Senate of the United States. In 1848, he received the endorsement of the approval of his constituen in this city about the hour of two o'clock on yesterday evening, after a distressing illness of some ten days, at the age of sixty years. This is the first instance that a Sena-

summoned from her distant nome to attend at his sick bedside. His last and dying hours were solaced by the presence and by the watchful and affectionate care of her who had been the solace of his life, and which none but such an one knows how to bestow; but not care, nor tests, nor affection, not skill, nor place, nor power, could stay the impending blow. It has fallen in an unexpected hour—it has fallen heavily upon all of us, but most of all upon an interesting, and, till now, cheerful and hepcial and happy domestic circle. What hearts it has crushed—what these of fond affection it has severed—what these it has blighted—I cannot, I may not attempt to depict; I may not draw aside the veil which conceals in sacred seclusion the outpourings of private grief. May He who has declared that He will be the widow's food, and a father to the fatherless, show mercy, and forget not kindness in this time of His severe chastisement. And, Mr. President, while one and another, and yet another of our associates in this council chamber of the nation, is stricken from our midst by the hand of death, we are all impressively admonished of the f-ailty of human hones, and the vanity of human hopes. We are solemnly admonished to be also ready when the Master calls; and happy will it be for us if our hopes of acceptance shall prove as a sure and steadiast anchor to our souls, in that dread hour which must come upon us all, when the world and its worthlessness shall recede from our sinking view. He then offered the usual resolutions.

Mr. Stramen said:—Mr. President—How true it is, that every day we spend here brings some fresh event to impress upon our minds the fraternity of the States, and comprehensiveness of the republic. We began the week with surveying our interests in the Caribean sea, we went from thence to examine the defence of the youngest member of the union, on the Facilic coast, and now, at the end, we are called to make a visit of condelonce with the close of the acqual remains increasing, increasing in the lightning h

The re-clutions were adopted, And the Senate adjourned.

House of Representatives. Washington, Jan. 15, 1853. RAILROAD LANDS WANTED, ETC.

Mr. Sibley asked, but did not obtain, leave to introduce

a bill granting to Louisiana, Arkansas, Missouri, Iowa and Minnesota, land for the construction of a railroad from New Orleans to the boundary of Minnesota. One private bill was passed.

One private bill was passed.

INE DEATH OF REL UPHAM.

A message was received from the Senate, announcing the death of Hon William Upham.

Mr. Mixer delivered some remarks eulogistic of the deceased, and concluded by moving the usual resolution of respect to the memory of the deceased.

Mr. Mixanam said a few words appropriate to the occasion, when the resolutions were adopted, and the House adjourned.

Loss of the Ship Henry Gilmore.

New ORLEANS, Jan. 15, 1853.

The ship Henry Gilmore, bound from Boston to New Orleans, was totally lost, with her entire cargo, about thirty miles from Cardenas. The crew were all saved.

Freight on the Arabia, &c.
HALPAX, Jan. 15, 1853.
The stears hip Arabia has one thousand tons of goods

The Great Western Conspiracy Case.

CINCINNATI, Jan. 15, 1853.

In the case of the United States against Cole, Kissane and others, charged with burning the steamer Martha Washington, Commissioner Wilcox gave in his decision at noon to-day. He thought, from the testimony, there is probable reason to suppose that the deed charged was committed, and he has held Cole and Kissane to bail in \$10,000 each, the two Chapins and Captain Cummings in \$6,000 each, and Holland in \$6,000, with two freehold securities, to appear at the next term of the United States Court. It is thought that the parties will give the required security.

Later from Mexico.

New Orleans, Jan. 15, 1853.
We have received dates from the city of Mexico to the

The Congress was still in session

The Senate had not yet acted upon the bill sent up by The synate had not yet acted upon the bill sent up by the Chamber of Deputies, granting the Tehuantepee contract to the Guanajuato company.

The revolutionary accounts are meagre and unsatisfactory. The government papers say that the revolution is visibly declining, but the others mostly state that it is increasing everywhere—that Uraga's army is in high spirits, and that the government troops under Gen. Vasquez have been defeated in Guanajuato.

SPRINGPIELD, Jan. 15, 1853.

A freight train and a lecomotive came in collision or the Western Railroad, between Becket and Washington, on Friday, killing Augustus Granger, a fireman, almost in stantly, and severely injuring Mr. Bronson, an engineer Both engines were very badly damaged.

Return of Commissioner Bartlett. &c.

PROVIDENCE, Jan. 15, 1853. Mr. Bartlett, the Mexican Boundary Commissioner, ar rived at New Orleans on the 11th, and was to leave for Washington next day, by the river route.

The cotton mill at Millbury, belonging to A. H. War-ners & Co., took fire about six o'clock this morning, from a spark falling from a lamp while lighting up to commence work. The fire was confined to the apper story, where it originated. The loss is estimated at about \$5,000, and is fully covered by insurance at the American office in this city, and at the Protection and Etna offices, Hartford.

The cotton and woollen factory of Schwing & Co. was burned this afternoon. Loss \$25,000—insured for \$18,000.

Seventy-five hands are thrown out of employment. Destructive Fire at Lansing, Michigan.

DETROIT, Jan. 15, 1853.
Yesterday the office of the State Sentinel, with the en tire stock, and several adjoining stores, were destroyed by fire. The Post Office and mails were saved. The capitol marrowly escaped. Loss about \$10,000.

Illness of the New Governor of Louisiana. Валтионе, Jun. 15, 1853.

Baltimore, Jan. 15, 1853.

The mail is through from New Orleans.

Colonel Herbert, the newly elected democratic Gover nor of Louisiana, was very sick, and not expected to sur-

Massachusetts Legislature.

Basrox, Jan. 15, 1853.

Orders were to-day introduced in the Legislature of Massachusetts, to consider the expediency of repealing so much of the secret ballot law as makes it obligatory upon voters to deposit their ballots; also, to amend the general banking law, to permit any individual to establish a bank or banks, and that mortgages, of productive unincumbered property, and the stock of railroads worth par value, and having their eastern terminus in Boston, be received in piedge for circulating notes.

A committee was appointed on the part of the House to arrange for the reception of Gen. Pierce in this city, when on his way to Washington.

Celebration of Daniel Webster's Birthday.

Bosrox, Jan. 15, 1853.

The marshals who served at the Webster obsequies will celebrate the anniversary of Webster's birthday, on Tuesday, the 28th inst., by a dinner at the Revere House. A salute will be fired. Produce from the West.

Over 9.000 live hogs passed over the Buffalo and State Line Railroad, for New York and Albany, since last Saturday, and 2.500 are now at the State Line road for Boston, via Buffalo and Albany.

The Broadway Railroad Injunction Case. SUPERIOR COURT—GENERAL TERM. The Hon. Judges Duer, Campbell, Bosworth and Emmet, presiding.

JAN. 15 .- Themas E. Davis and Courtlandt Palmer, vs. The Mayor, Aldermen and Commonalty of the City of New Fork.—The argument in this case was commenced to-day. It was to show cause why an injunction, issued petual. The injunction restrained them from granting to, or in any manner authorizing Jacob Sharp ing to, or in any manner authorizing Jacob Sharp and others, or their associates, or any other person or persons whomsever, the right, liberty or privilege of laying a double or any track for a railroad in the street known as Broadway, in said city of New York, from the South ferry to Fifty-seventh street, or any railroad whatsoever in said Broadway, and from breaking or removing the pavement in said street. Or in any other manner obstructing said street preparatory to or for the purpose of laying or establishing any railroad therein, until the further order of this Court in the premises.

It is alleged that subsequent, to the service of this in.

mises.

It is alleged that subsequent to the service of this injunction, the defendants passed resolutions granting the privilege of laying a railroad in Broadway; and an order was then issued for them to show cause why an attachment should not be issued against them for contempt of Court in disobeying the injunction issued and served on each of them in this action.

The grays of coursel on each side is the greatest of the contempt of the court in the cour

each of them in this action.

The array of counsel on each side is the greatest we have seen for some time, and includes some of the most profound lawyers of the New York bar.

The plaintiffs are represented by ex-Chief Justice Bronson, Messrs, George Wood, John Van Buren, J. W. Gerard, Henry Hilten, Jas. R. Whiting, and Wm. McMurray. For the defendants, Messrs, R. J. Edilon, Corporation Counsel, ex-Chief Justice Jones, Hon. F. B. Cutting, D. D. Field, and Edward Sandford.

The following are the points for the plaintiffs, on the

Council, ex-thief Justice Jones, Hon. F. B. Cutting, D. D. Field, and Edward Sandford.

The following are the points for the plaintiffs, on the order to show cause why an attachment should not issue against the defendants for contempt:

1.—The Court had jurisdiction over the parties, and over the subject matter of the complaint, and having jurisdiction, the question whether the order for an injunction was made upon proper and sufficient grounds does not arise upon this motion.

(1) The Court has jurisdiction over corporations as well as over natural persons.

(2) The plaintiffs complained that an injury was about to be done to their legal rights by a wrongful act of defendants, and prayed that defendants might be restrained from doing the act.

Nothing further was necessary to give jurisdiction, and it was then for the Court to judge and decide, whether a proper case was made for granting the relief which the plaintiffs asked. And when a court has jurisdiction, its judgment or order is never void, however erroneous it may be.

(3) The resolution which the Common Council was about to pass, was, in no proper sense of the term, an act

indgment or order is never void, however erroneous it may be.

(3) The resolution which the Common Council was about to pass, was, in no proper sense of the term, an act of legislation. It was not a law, but a contract. It was what the Common Council itself called a grant.

But if it was material to consider whether it was a law or grant, that was a question upon which the Court was valid antil it should be reversed or vacated.

(4) If the resolution which the Common Council was about to pass may properly be regarded as an act of legislation, it was still a question for the Court to decide whether relief might not be granted against an injury attempted to be done in that form; and whether the judgment was right or wrong, it was not void.

(5) We shall contend, at the proper time, that there is no color for the pretence set up by the Common Council, that the power to make by laws and ordinances for the government of the Corporation and inhabitants of the city stands on the same footing as "the legislation of the state, or that of Congress;" and that in such matters they are above and beyond the reach of the indicary.

We shall maintain that the Common Council may be controlled when it is about to do an injury to third persons, although the wrongful act may take the form of a by-law or ordinance. And clearly this is so when the thing which the Common Council proposes to do, though in the form of a law, is in truth a grant of the property or privileges of the city.

But it is enough for the present to say, that whether it was proper to enjoin the corporation in this case was a question for the Court to decide, and whether its judgment was right or wrong, it was valid until reversed or annulled.

2.—So long as an injunction remains in force, it must be obeveel, although if may have been renoreously or

meni was right or wrong, it was valid until reversed or namulled.

2.—So long as an injunction remains in force, it must be obeyed, although it may have been erroneously or even irregular! bested.

3.—The injunction for restrain the making of the grant was projectly alreased to the Corporation; and when served, the order was operative upon every branch and efficial member of the explorate body.

4.—There was a breach of the injunction by every member of the Corporation who, after the service of the order, voted to make the grant.

Every such member acted in direct contempt of the au-thority of the Court, and the commandment of the law.

5.—When any one acts in an official character in disre-garding an injunction, or order of the Court, it is not the officer, but the individual, who is punished for the con-tempt.

officer, but the search of tempt.

6.—This is the most aggravated case of contemning the Court and its process that has happened in modern times and if it is not followed by an exemplary punishment, it will be impossible to maintain the administration of justice in future.

At most case, the Court allocated through the court of the court of

The Case of the Two Policemen Charged with Burglary.

At 11 o'clock yesterday morning, the investigation pend-ing against policemen Kennedy and Smith, on a charge of burglary, was continued. The first witness called was Mr. Taylor, the clerk of Mr. Hopkins. The following is the evidence up to the time of adjournment :-

William Taylor, being sworn, says—He is a clerk in the store of Lemuel H. Hopkins; on the night of the 11th of January, instant, he went into the store of Farr & Briggs, about half-past 10 o'clock, and Mr. Hopkins came in about ten minutes after; we took our seats in this ad joining store of Farr & Briggs, near the hole in the partition, and watched during the night; my position was near the hole, and Mr. Hopkins took a seat by my side I was immediately in front of the hole, which gave me a full view of hole, and Mr. Hopkins took a seat by my side; I was immediately in front of the hole, which gave me a full view of the store door, without turning either way, at which door we supposed the burglars would enter; we remained there until about three o'clock the following morning. I was awake during the whole time, having been in bed the greater part of the previous afternoon, at about 30 clock I observed the figure of a man on the outside of the store door on West street—for on the outside of the store door on West attent—for one of the control of the door being glass, which enabled me to so any one on the outside; I then heard the sound of the was making an examination, after I saw the man have a light in his hand, which he held up before him as if he was making an examination, he then advanced up the vas making an examination, he then advanced up to the outside. I then lost sight of him, and the light distribution where I was a start of the right; I then lost sight of him, and the light distribution of the sight of him, and the light distribution. I then lost sight of him, and the light distribution in the same time; immediately after disappeared almost including the mass under the same time; immediately after disappeared almost, and the same time; immediately after disappeared almost including the man to him; I told him the thief had come, Mr. Hopkins who was dowing by my side, for the purpose of shewing the man to him; I told him the thief had come, Mr. Hopkins then looked through the aperture, at which time I saw the light in the store; when he looked long enough to satisfy himself, he covered up the hole with a piece of cloth, and said to me we had better get out as quietly as possible; I then unfastened the door of Farr & Briggs, where we were, and Mr. Hopkins with his hand on the shoulder of a man who stood at the corner, on the platform of the stare; he was a much larger man than Hopkins; Hopkins the said to me, "This is one of them, William; take charge or care of him," or words to that effect; I did not the store door, without turning either way, at which door we supposed the burglars would enter; we remained ther-

at any time inform me that he was a policeman; nor did he make any explanation to me.

Cross-examination by Ex-Recorder Tallmadge—Smith walked to the station house, and afterwards stripped and had his wound examined: I was present in the room a short time while the Boeter was probing the wound, and was in the station house all the time; I do not know the time Kernedy left the station house; I suppose it was about twenty minutes after we first came to the station house that I missed Kennedy; the reason why we watched the store was in consequence of having been robbed pre-viously of a quantity of segare, and wanted to eatch the thief; the store contrins groceries, liquors and segars, for wholesale and retail; our store is fronting the wharf; I have seared of barges being robbed on some of the piers near the Eric railrond depot; I do not know that the door of the store was becked; it was locked; I heard the I have seard of barges being robbed on some of the piers near the Eric railrond depot; I do not know that the door of the store was locked; it was the practice of Mr. Hopkins to lock it, and I supposed it was locked; I heard the door unlock, and when the man entered I think he advanced three or four steps, and then the light disappeared; I suppose the first light might have lasted about a minute; shortly after, the light reappeared, and went out again almost immediately; I then heard a noise; the reason why I did not wake up Mr. Hopkins when the thief entered, was because I wanted to see how the man acied in the store, and when I heard the rumbling noise I notitied Mr. Hopkins; I left the store, locked the door, and went to the corner, and there saw Smith on the corner of Franklin and West streets; I did not take hold of Smith because I had a club in one hand and a six-barrelled revolving pisted in the other; the club was in my left hand. I showed him the pisted when he attempted to put his hand into his pocket, and said I would shoot him if he attempted to pull out any weapon to injure me; when Smith started to leave me, he went in the direction of Mr. Hopkins, who was holding the handle of the door, when I fired the pistol, Smith was going off in the same direction towards where Mr. Hopkins stood; the second time Smith started was quicker than the first.

Q.—Why did you not call for assistance when you held fmith at bay with a pistol and club?

A.—I was too much occupied; I did not call for assistance until after I fired the pistol. I thought if I occupied myself in giving an alarm, the man would escape; I should suppose when I fired, Smith was some ten or twelve feet distant; he was near Mr. Hopkins at the time he was on the piatform of the store; he did not call for assistance until after I fired the pistol. I thought if I occupied myself in giving an alarm, the man would escape; I should suppose when I fired, Smith was some ten or twelve feet distant; he was near Mr. Hopkins at the time he was on the piatf

into Mr. Hr. Hopkins' store, any more than stand on the comer of the street?

A.—I did not; I cannot tell why I did not follow after Smith; I shot him because he went off when I told him to remain.

Q.—Then you think you was justified in shooting a man down, because he left you when you had ordered him is remain still, notwithstanding you had not seen him doing any act except, standing on the corner of the street?

A.—Yes, I think I was.

Mr. Tallmadge—Well, I am very glad to see Mr. Blunt, the District Attorney, present, who, I hope, will take cognizance of this bold declaration of the witness, who thinks himsel' justified in shooting a man down because he don't stand still, and attempts to walk away. I hope the District Attorney will see that this witness gets justice done bim.

Mr. Blunt, in reply, said he did not wish any comments made on the case at present.

Mr. Tallmadge—I am not commenting on the testimony; I only called the attention of the District Attorney to the declaration made by the witness.

Mr. Elant—All we want at present is the facts.

The court here took a recess until two o'clock.

AFTER REENES.

Heavy Hutchings, being sworn—Says he is Assistant Captain of the Fifth ward police; that at about a quarter before four o'clock on Wednesday morning, January 12, Cffleers Ford and Kennedy, Mr. Taylor, Mr. Hopkins, Mr. Sneden, and others, came into the station house; kennedy commenced telling me about following two or three men down Franklin street, and when he got on Smith's tost, he told Smith the suspicions he had of the men in question, he said then that he either saw the door of Hopkins' store open, or else he tried it and found it open, he then told Smith to watch on the outside, while he was in the store, he said then that he either saw the door of Hopkins' store open, or else he tried it and found it open, he then the fact and sanding before me at the time, and as he was the man siluded to as shooting the pistol, I supposed he was the mine of the fact of the walk of the said of the men in th

all I know about the matter. Kennedy was not on duty at the time he was down at the store; bis tour of duty expired at 3 o'clock; it was his duty to have remained in the station house on his return from post; he had no permission from me to leave the station house; I was the Captain on duty at the time; it is against the rules of the department to leave the station house when it is their duty to remain in, unless leave is granted by the Captain.

it is their duty to remain in unless leave is granted by the Captain.

Cross-examination by Mr. Tallmadge.—Kennedy resides at 117 Franklin street, directly in the rear of the station house; I should not miss a man from the station house unless a fire or riot should occur, as we supposed him to be up stairs askeep.

Q.—Is it an unusual thing for a policeman who resides in the immediate vicinity of the station house, to take advantage of the recess, and go home for a few minutes and return again?

A.—That is a question I cannot very well answer, as we don't know. I should deem it not a very great disobedience of orders, if his services are not immediately required.

dience of orders, it has services quired.
Q.—Is not a policeman always on duty?—that is, if he sees any suspicious persons in the act of committing, or about committing an offence, is it not his duty to arrest, or try to arrest, such parties?
A.—I should say it was; the Mayor considers policemen

A.—I should say it was; the Mayor considers policemen to be always on duty. Q.—Did you search Kennedy's house with the Chief of Police?

Polices?

A—No, we did not: I don't know the reason why the Chief altered his mind.

Q—Bon't your policemen frequently find stores open during the night, and what is the duty of policemen in such cases?

A.—It is the duty of the policeman to find the owner of the store, and take charge of the store until the owner comes; my first impression would be to call assistance, and examine the store for thieves; if I had matches with me, probably I should strike a light; if not. I should put an officer in charge and go to the station house for a lantern.

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and examine the store for thieves; if I had matches with me, probably I should strike a light; if not, I should put an officer in charge and go to the station house for a lantern.

The evidence of the last witness closed the case on the part of the prosecution, and Justice Oaborn informed Mr. Kennedy that he was a tilberty to answer or decline to answer any questions that might be put to him. Mr. Kennedy not appearing to wish to avoid any questions, gave the following account of the affair, as he alleges it occurred, to questions put by the clerk. My name is William Kennedy, I am thirty-two years of age, born in New York, and reside at No. 117 Frinkin street; I am a policeman.

In reference to the alleged charge, Mr. Kennedy gave the following statement:—

On the morning of Wednesday, the 12th January, I was relieved at 3 o'clock; I went into the station house, and saw Captain Hutchings going into his bed-room; I handed my club to a policeman and told him that I was going to my home to get some bay rum to bathe myself for the rheumatism, when I took off my clothing at the station house; as I put the night key in the door of my house I saw three men going down Franklin street towards the river; one, having a light toot and glazed cap, I recognized as the man by the name of Frederick Knoll, who I arrested two months previous, for stealing, at the foot of Harrison street; I followed these men down Franklin street, and on the corner of Hudson street I whisted, and policeman Smith came up to me from the opposite side of the way (from Greenwich street); I threw hisattention to these men: he told me he had observed them and wished me to follow them with him; they continued down Franklin street, and the he had observed them and wished me to follow them with him; they continued down Franklin street, and the her passed down Franklin street; and the other remained standing on the corner; and in about five minutes after, he left and followed after the other two years of the form of the store, and had the work of the store, least infinition at the time, that I was suspected, and so I informed the Chief; of the three suspicious men whem I followed, one was a tall man, wearing a glazed cap and a white coat; the other two were medium sized men, wearing dark clothes, one having a cap and the other a hat; they also apparently had empty bags under their arms.

cap and a wate coat, the other two were measured men, wearing dark clothes, one having a cap and the other a hat; they also apparently had empty bags under their arms.

The above statement concluded the examination of Kennedy, and the following witness was brought on the part of the defence. Quite a number of respectable witnesses were in court ready to testify to the general good character of Mr. Kennedy, but the magistrate said he did not require any such evidence before him.—

James Sneden, being sworn, says—I reside at No. 23 Hudson street; I am a private watchman on the New York and Eric Bailroad pier, stuated at the foot of Duane street; I was on duty at the pier the night policeman Smith was chot; on that night I saw three suspicious men prowiling about the dock; one of them, I should say, was a man whem Kennedy had arrested some two months ago, charged with stealing potatoes; Kennedy brought the man to the pier at that time; this man was a tall man, dressed in a glaced cap and light cost; the other two were dressed in dark elethes, and of medium size; my attention was drawn to these men about eleven o'clock, and the last time a little after twelve o'clock; thay were going up Jay street, from Greenwich street, to which place I had followed them, and there lost sight of them; one'of these men I saw afterwards trying cellur doors under suspicious circumstances; from one of the cellars he came out with a dead pig on his shoulder, and I followed after him, when he dropped the pig and ran off up Reade street; I took the pig to the depot and returned it to the owner.

Mr. Tallmadge requested that the examination of Smith should be taken, and then the case was ready to be submitted to the magistrate for his decision.

Justice Osborn remarked that either on Sunday or Menday merning he would go to the house of Smith, and take his examination, provided he could get another magistrate to sit on the bench during his absence. The summing up was, therefore, adjourned antil three o'clock on Monday afternoon, when the c

Monday afternoon, when the case will be submitted for the magistrate's decision.

Police Intelligence.

THE MURDERGUS ATTACK ON ME, HENRY HAYDOOK —AEREST OF THE NEGRO.

Captain Leonard, of the Second ward police, vesterday succeeded in capturing a negro, named Alfred Seaman, charged with the murderous assaudt indiced with a kinfe or razor on Mr. Haydock, at No. 218 Pearl street, the facts of which we have already published. The accused was conveyed before Mr. Haydock, who fully identified the negro to be the person who committed the assault. Other circumstances also go to show that he is the guilty party. He has been committed to prison. The reputation of this negro is bad, having been a convict on Blackwell's Island for depredating on the public. We are pleased to learn that Mr. Haydock, aithough very badly wounded, will survive the injury, and is doing as well as could be expected under the circumstances.

Arrest of Shop-Lifers.—Two men, calling themselves Webi Mandeibaum and Henry Cohen, were Thursday arrested by officer Fider, on a charge of stealing a piece of silk valued at \$50, the property of Mr. Edward Warberg, of No. 56 Brondway. It seems that, on Thursday, the Sth inst., between 8 and 9 o clock in the morning, the porter, named Casper Huber, was engaged splitting wood, the two prisoners and another man, came into the store and asked for Mr. Warberg; said they were friends, and wished to see him. The porter informed them that Mr. Warberg was not in. Two of them walked about and examined the goods, and finally the porter saw one of the men take a piece of silk worth \$50, and secrete the same under his coat; all three then walked towards the store door, and were about leaving, when Hubers stopped them, and requested they should wait until Mr. Warberg came, they refused to remain, and one of them select hold of Huber, and drew a dagger for the purpose of intimidating him. that they might make their escape. Huber ultimately succeeded in getting himself ontside, and secured him to a mon in literison street

WANTED—A PARLOR AND BEDROOM, FURNISH ed or unfurnished, for a lady and gentleman, with board for the lady only; in a small private family, with a widow lady, preferred, and where no other boarders are We have a northeast wind, with a snow-storm, to-day